

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

NOTICE OF MOTION

-against-

10-CV-06005 (RWS)

THE CITY OF NEW YORK, et al.,

Defendants.

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PLEASE TAKE NOTICE, that upon the annexed Declaration of Walter A. Kretz, Jr., executed under penalty of perjury on September 24, 2013, the annexed Exhibits, including the proposed Answer Of Defendant Mauriello Amended With Counterclaims (Exhibit A), and the accompanying memorandum of law, defendant Deputy Inspector Steven Mauriello, by his attorneys Scoppetta Seiff Kretz & Abercrombie, will move this Court on the 16th day of October, 2013, at 12:00 noon, or at any recessed or adjourned date, for an order in which the Court i) decides to exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) over defendant Mauriello's proposed counterclaims, ii) grants defendant Mauriello leave to serve the Answer Amended With Counterclaims pursuant to Rule 15, subsections (a)(2) and (c)(1)(A), of the Federal Rules of Civil Procedure, iii) finds the counterclaims to be timely, and iv) grants such other relief as the Court deems just.

PLEASE TAKE FURTHER NOTICE, pursuant to Rule 6 of the Federal Rules of Civil Procedure, Local Civil Rule 6.1(b), and this Court's Individual Practices, that answering affidavits and memoranda of law, if any, shall

be served within fourteen days after service of these moving papers, and any reply affidavits and memoranda of law shall be served within seven days after service of the answering papers.

Dated: New York, New York
September 24, 2013

SCOPPETTA SEIFF KRETZ & ABERCROMBIE
Attorneys for Defendant STEVEN MAURIELLO

A handwritten signature in black ink, appearing to read 'Walt Kretz, Jr.', with a large closing parenthesis at the end.

By: _____
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